



City of Annapolis

Department of Planning & Zoning
145 Gorman Street, 3rd Fl
Annapolis, MD 21401-2535

PlanZone@annapolis.gov • 410-263-7961 • Fax 410-263-1129 • TDD use MD Relay or 711 • www.annapolis.gov

Planning Commission

April 21, 2011

The regular meeting of the Planning Commission of the City of Annapolis was held on April 21, 2011 in City Council Chamber. Chair DiQuinzio called the meeting to order at 7:30p.m.

Commissioners Present: **Chair** DiQuinzio, **Vice Chair** Dr. Harris, Waldman, Herald, Dr. Scott, Urban

Staff Present: J. Arason, J. Rouse, T. Smith

Dr. Scott moved approval of the agenda as submitted. Dr. Harris seconded the motion. **Passed 5-0.**

Journal of Proceedings:

B. APPROVAL OF MINUTES

April 7, 2011 Meeting Minutes

Mr. Urban moved approval of the April 7, 2011 meeting minutes as written. Mr. Herald seconded the motion. **Passed 5-0.** (Dr. Harris abstained from the voting.)

C. OLD BUSINESS

1. Ordinance #O-36-10, WMC Zoning District

Mr. Arason clarified that the Commission reviewed the ordinance at the March 17, 2011 and deferred the voting to allow staff the opportunity to review the suggested amendments. Staff reviewed the amendments proposed to correct the technical deficiencies identified in the Ordinance #O-36-10 prepared by Mr. Delavan in a letter dated March 17, 2011 and believes that they address the deficiencies. Staff will like to continue to wait until the findings from the City Dock Advisory Committee is provided.

Mr. Delavan provided background on the ordinance and requested that the map amendment application be brought before the Commission for a public hearing in May so that the application can move forward.

Dr. Scott moved to postpone consideration on Ordinance #O-36-10 for an indefinite period. Mr. Herald seconded the motion. **Passed 5-0.** (Mr. Urban abstained from the voting)

2. Buddy's Crabs and Ribs, One Inc. Special Exception, #S.E. 2010-024

Ms. Rouse informed the Commission of the changes to the application since the March 3, 2011 public hearing. Staff deferred to the applicant to address how the Commission concerns raised at the March 3, 2011 meeting. Staff received a call from a neighbor who indicated that they were not invited to the meeting held by the applicant regarding addressing the Commission's concerns.

Mr. Martin Blonder read the letter prepared by Ms. Rouse and strongly restated that the request was to "meet with the neighbors, not the property owners." He then deferred to Mr. Kevin Blonder to explain what occurred at the meeting. Mr. Kevin Blonder distributed and went over the documentation from a meeting held with his neighbors on April 8, 2011 at 6:00pm.

The following exhibits were presented at the hearing.

Exhibit Number	Exhibit Types
1	April 8, 2011 Meeting Documentation submitted by Mr. K. Blonder

Mr. Urban moved that the applicant extend an invitation to meet with the neighbors, all property owners, tenants within 200-feet and those members of the public who spoke at the March 3, 2011 meeting in order to resolve their concerns and report back to the Commission. Mr. Waldman seconded the motion. **Passed 4-2.**

D. PUBLIC HEARINGS AND DELIBERATIONS

1. Ordinance #O-40-10, Fence Permits

Mr. Arason stated that this is amendment to Title 17 noting that there have been several fences built in the City that are over 6-feet. This ordinance has been introduced to restrict the height of fences constructed in residential and maritime zoning districts. He noted that this is a temporary measure and acknowledged that fence permitting policy require a more comprehensive review. Staff identified several proposed amendments to 17.34.010B.2 and 21.60.07 that they do not support but overall could support the Ordinance moving forward to City Council.

The following exhibits were presented at the hearing.

Exhibit Number	Exhibit Types
1	Letter of Support from Eastport Civic Association

Public testimony opened at 9:11pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Alderman Arnett	529 Sixth Street	X	
Joe Budge	9 Randall Court	X	

No one else from the public spoke on the application. Chair DiQuinzio declared the public testimony closed at 9:31pm.

Mr. Waldman moved to recommend approval of the ordinance with the following suggestions that paragraph 17.34.010B.2 – relating to subjective determination regarding a fence maliciously erected is deleted; Council should consider exceptions to the four-foot limits and how that process can be performed; and that the jurisdiction and staffing of the permitting must be clarified. Mr. Urban seconded the motion. **Passed 5-1.**

2. Ordinance #O-37-10, #ZTA2011-001

Mr. Herald recused himself from participating on this application.

Mr. Arason stated that currently most business offices are located on the second floor in the B1 zoning. This ordinance will allow businesses to be located on the first floor. He provided a map that shows where the various B1 zoning areas are located within the City. In the past, the B1 zoning has been amended to allow for educational, cultural and civic type offices. Staff exempted Annapolis Street because of previous discussions but intends to discuss impacts with the West Annapolis Business Association. Staff supports the ordinance as presented.

Public testimony opened at 9:36pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Alderman Arnett	529 Sixth Street	X	
Jonathan Hodgson	5 Stephen Lane	X	

No one else from the public spoke on the application. Chair DiQuinzio declared the public testimony closed at 9:52pm.

Dr. Scott moved to recommend approval as presented. Dr. Harris seconded the motion. **Passed 5-0.**

E. ADOPTION OF FINDINGS

1. Aqua Terra of Annapolis Special Exception, #S.E.2011-001

Dr. Scott moved approval as submitted. Mr. Urban seconded the motion. **Passed 5-0.** (Dr. Harris abstained from the voting.)

2. Special Exception Application by Board of Visitors & Governors, St. John's College

Mr. Waldman moved approval of the findings as submitted. Mr. Herald seconded the motion. **Passed 5-0.** (Dr. Harris abstained from the voting.)

3. Capital Improvement Program (Proposed FY12 to FY17)

Mr. Waldman moved approval of the findings as amended. Dr. Scott seconded the motion. **Passed 5-0.** (Dr. Harris abstained from the voting.)

Dr. Scott moved to adjourn the meeting at 10:04pm. Dr. Harris seconded the motion. **Passed 6-0.**

Tami Hook, Recorder